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Xethanol Corporation

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GLOBAL ENERGY AND MANAGEMENT, LLC, :

Plaintiff, :

-against- : No. 07-CV-11049 (NRB)

XETHANOL CORPORATION, CHRISTOPHER
D'ARNAUD-TAYLOR, JEFFERY LANGBERG,
LAWRENCE S. BELLONE, LOUIS B. BERNSTEIN,
DAVID AMES, and ROBIN BULLER, :

Defendants. :

----- X

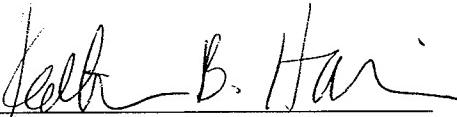
**NOTICE OF MOTION OF DEFENDANT XETHANOL
CORPORATION TO DISMISS THE THIRD AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and Affidavit of Katherine B. Harrison, sworn to on June 25, 2008, and upon all the prior pleadings and proceedings heretofore had in this action, Defendant Xethanol Corporation, by its undersigned attorneys, will move this Court before The Honorable Naomi Reice Buchwald, United States District Court Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 21A, New York, New York, for a Motion to Dismiss the Third Amended Complaint pursuant to Rules 8(a), 9(b) and 12 (b)(6) of the Federal Rules of Civil Procedure.

Plaintiff's opposition is due on or before July 17, 2008. Defendant Xethanol Corporation's reply is due on or before July 31, 2008.

Dated: New York, New York
June 25, 2008

PADUANO & WEINTRAUB LLP

By: 

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